

City of Cincinnati



Date: March 11, 2003

FOR YOUR INFORMATION

To: Mayor and Members of City Council

From: Valerie A. Lemmie, City Manager

Copies to: David J. Krings, County Administrator

Subject: **CONVENTION CENTER EXPANSION: PROGRESS REPORT #5**

This is the latest progress report on the Convention Center expansion and renovation. From this point on this report will be issued bimonthly. This report is forwarded to Mr. Krings in order to keep the County informed of the project's progress. In addition, members of the Convention Facilities Authority also receive the report.

1. Convention Facility Authority

- A. The City and the County conducted three orientation sessions for new CFA board members in February. CFA members were briefed on the status of the Convention Center expansion and renovation project and their duties and responsibilities.
- B. The CFA's first organizational meeting occurred on February 28, 2003. The CFA elected officers and passed a number of resolutions including the adoption of the City/County MOU. Minutes from the meeting are attached to this report. Newly elected and appointed officers include:
 - 1. Dan Meyer, Chairperson
 - 2. Kathy Wagner, Vice Chairperson
 - 3. Eric Kearney, Treasurer
 - 4. Bill Moller, Assistant Treasurer
 - 5. Tim Riordan, Secretary
 - 6. Eric Stuckey, Assistant Secretary
 - 7. Mark Schutte, Development Oversight Committee Representative
- C. City and County staff are working to develop appropriate agreements, contracts, leases, financing plans for the CFA to implement all of the items in the Memorandum of Understanding between the City and the County.

2. Public Information

The communications team developed a strategic plan for the public information campaign about the Convention Center renovation and expansion, which has been reviewed by the City and the GCCVB.

3. WCPO Relocation

- A. WCPO TV has demolished the former Museum of Natural History on Gilbert Avenue. Construction of their new facility has commenced and is on schedule.
- B. There are existing easements on the WCPO TV property purchased by the City for the expansion that need to be released. An ordinance to release these easements will be submitted to City Council in March.

4. Project Management

- A. City staff have reached a tentative agreement with Cinergy for a chilled water substation within the Convention Center. The Administration will submit an ordinance authorizing the City Manager to enter into such an agreement at such time mutually agreeable terms have been finalized between Cinergy and the City.
- B. The 50% completed Design Development of the project will be presented to the City's Urban Design Review Board on March 18, 2003.
- C. A coordination meeting was held with the Greater Cincinnati Convention and Visitor's Bureau and downtown hotels to review booked events at the Center during its renovation and to keep meeting planners informed about the status of the project.

5. Corporate Contributions

The Cincinnati Business Committee is in the process of collecting the private contributions. The project will be receiving the funds over the life of the design/construction period (2002-2006). At this time, contributions of \$1.64 million have been received from 13 companies.

6. Equity Fund Loan

The CFA has approved the Equity Fund letter of intent at their organizational meeting on February 28, 2003. A formal agreement now needs to be entered into between the Cincinnati Equity Fund and the Convention Facilities Authority (CFA).

7. Naming Rights

The City has retained legal counsel, Bricker & Eckler LLP, to assist with the Cinergy naming rights contract development. The Administration will be bringing an ordinance forward authorizing the City Manager to enter into such an agreement when the terms have been finalized.

8. GCCVB Commitment

Preliminary meetings held between representatives of the NKCVB and GCCVB indicate that the GCCVB commitment of \$1 million a year for 10 years will be difficult to obtain.

9. Center Operation and Contracts

The Administration is in the process of reviewing performance measures for the Convention Center and the GCCVB.

10. Commitment from the State

The City project team is in the process of working with the City, County, Chamber of Commerce, and the CBC to secure a signed Letter of Understanding between these entities confirming that requesting funds from the State for the Convention Center will be the highest priority in the State Capital Budget for the 2005-2006 biennium.

11. SBE Commitment

The next SBE/MBE/WBE outreach program is planned to be held for the Urban League in early April.

12. Items to be Presented to City Council

- A. Ordinance to release easements on the City-owned WCPO TV property (March 12, 2003)
- B. Ordinance to enter into an agreement with Cinergy for the operation of a chilled water substation (Spring 2003)
- C. Ordinance to accept Naming Rights contribution (Spring 2003)
- D. Ordinance to adopt Letter of Understanding for State Commitment (2003)

THR:lyr

**Hamilton County
Convention Facilities Authority (CFA)
Meeting Minutes**

To: Board Members, Hamilton County Convention Facilities Authority

From: Timothy H. Riordan, Secretary to the Board

Subject: Meeting #1: February 28, 2003

CFA Members present: Paul Brehm, Nat Comisar, Eric Kearney, Virgil Lovitt, Gwen McFarlin, Daniel Meyer, Derrick Parham, Ralph Schutte, James Sumner, Kathryn Wagner.

Absent: Larry Grypp

Also present: Tim Riordan, David Krings, Roger Friedmann, Bill Moller, Jerry Luttenegger, Mark McKillip, Lea Eriksen, Eric Stuckey, Joan Gilmore, Cheri Wiggins

1. Call to Order.

The organizational meeting of the Hamilton County Convention Facilities Authority was called to order by Mr. David Krings, Hamilton County Administrator.

2. Oath of Office.

Mr. Roger Friedmann administered the Oath of Office to all Board Members with the exception of Mr. Larry Grypp who was absent.

3. Presentation and Approval of By-laws

Mr. Friedmann made a short presentation concerning the by-laws indicating a recent change of the original draft to include a section relating to Conflict of Interest. A motion to approve the by-laws was made and seconded.

Motion passed 10 to 0.

4. Election of Officers

a. Chairperson

A motion to nominate Dan Meyer was made and seconded. Mr. Meyer's nomination was approved on a vote of 10 to 0.

b. Vice-Chairperson

A motion to nominate Kathy Wagner was made and seconded. Ms. Wagner's nomination was approved on a vote 10 to 0.

c. Treasurer

A motion to nominated Mr. Eric Kearney was made and seconded. Mr. Kearney's nomination was approved on a vote of 10 to 0.

5. Resolution #2003-1 - Appointment of Secretary, Assistant Secretary, Assistant Treasurer, and representative to the Development Oversight Committee.

Motion to approve was made and seconded.

Motion was adopted 10 - 0.

Mr. Timothy Riordan, was appointed as Secretary; Mr. Eric Stuckey, as Assistant Secretary, Mr. Bill Moller, Assistant Treasurer; and Mr. Mark Schutte as representative to the Development Oversight Committee.

6. Resolution #2003-2 - Memorandum of Understanding: City/County/CFA

Motion to approve was made and seconded.

Motion was adopted 10 - 0.

7. Resolution #2003-3 – Cincinnati Equity Fund Loan

Motion to approve was made and seconded.

Motion was adopted 10 - 0.

Mr. Parham requested that the Secretary prepare a motion for consideration at the next CFA Board Meeting. Such motion would be to request the County and City to modify the MOU to include other jurisdictions for possible Convention Facility funding.

8. Resolution #2003-4 – Appropriation Resolution

Motion to approve was made and seconded.

Motion was adopted 10 - 0.

The Board asked for clarification and Mr. Riordan explained that the appropriation resolution as adopted relates to the funds under the direct control of the CFA. Those funds are specifically the funds derived from the 3.5% lodging tax levied by Hamilton County and the 1% lodging tax levied by the City of Cincinnati pursuant to State Law Section 5739.09.

Mr. Riordan indicated that other funds including annual contributions from the City and the County as well as other lodging taxes would further be pledged to pay for the expansion/renovation and to retire the bonds as stated in the MOU.

9. Resolution #2003-5 – Authorization of City to act as agent of the CFA

Motion to approve was made and seconded.

Motion was adopted 10 - 0.

10. Resolution #2003-6 – Establishing a Policy with respect to Equal Opportunity and Economic Inclusion

Motion to approve was made and seconded.

Motion was adopted 10 - 0.

11. Resolution #2003-7 – Appointment of Bond Counsel

Peck, Shaffer and Williams was appointed as Bond Counsel

Motion to approve was made and seconded.

Motion was adopted 10 - 0.

Mr. Riordan recommended the appointment of Squire, Sanders and Dempsey, as the Bond Counsel. Mr. Krings recommended Peck, Schaffer, and Williams be appointed as bond counsel. After discussion the group recommended that Peck, Shaffer, and Williams be hired as bond counsel with the understanding that Squire, Sanders, and Dempsey would most likely be selected as underwriters bond counsel. From the floor the original motion was amended to include the fact that hiring of the bond counsel should be consistent with Resolution #2003-6 and that a preference for hiring Hamilton County located firms was expressed with a requirement that such bond counsel be located within the State of Ohio.

12. Next Meeting

The chair requested that board member be given three dates for the next meeting to chose which one would be the best.

13. Follow-up Items

As a result of the Board meeting there are a number of follow-up items.

- a. Mr. Friedmann will send immediately to all board members copies of a required state disclosure form. This form needs to be completed very quickly by all board members.
- b. Mr. Friedmann in conjunction with the Assistant Secretary will send a copy of Chapter 102 of State Law 2921-42 to all members. This particular section of the law includes reference to conflict of interest. This will be sent to board members in such a way that it can be added to the CFA binder.
- c. The Secretary will send the minutes as officially certified and copies of all certified resolutions for inclusion in each member's CFA binder.
- d. Mr. Riordan will work with the appropriate officials to present a resolution for discussion by the Board concerning a modification to the County/City Memorandum of Understanding.
- e. Mr. Schutte will officially be invited to the meeting of the Development Oversight Committee by Mr. McKillip, who chairs the committee.
- f. Mr. Riordan will oversee a briefing session for Mr. Larry Grypp who was not in attendance for the session.
- g. Mr. Riordan indicated that all items relating to the issuance of bonds will be brought back before the Board prior to the bonds being issues.
- h. Mr. Riordan indicated that all members of the CFA will now be copied in on the monthly status report currently prepared for the City Council and County Commission.
- i. Mr. Riordan and Mr. Stuckey will insure purchase of D. and O. coverage for board member and offices of the CFA.

THR:lyr